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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
|-----------------|-------------|----------------------|---------------------|

08/906,493 08/05/97 FREEMAN

W MERL-1163

022199 LM02/0414
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EXAMINER

LE, V

ART UNIT PAPER NUMBER

2713

DATE MAILED: 04/14/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

| | | | |
|------------------------------|-------------------------------|--------------------------------|--|
| Office Action Summary | Application No. 08/906,493 | Applicant(s) FREEMAN ET AL. | |
| | Examiner Vu Le | Art Unit 2713 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 and 32-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 32-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on 02 February 2000 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) _____.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- | | |
|---|--|
| 14) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 17) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 15) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 18) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 16) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5,6</u> | 19) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Specification

1. Change to the title is acknowledged.

Drawings

2. The corrected or substitute drawings were received on Feb. 2, 2000. These drawings are approved.

Election/Restrictions

3. Claims 22-31 have been canceled. Election was made **without** traverse.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-12, 15-21 and 34-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishijima, PN 5915069. Re claims 1-12, 15-21 & 34-43:

Re claims 1-12, 15-21 & 34-43:

Nishijima discloses (figs. 1-2, 5-8) a video recording system and method steps for application in video surveillance comprising: a CCD video camera (1); central controller (3c); a plurality of sensors for detecting an event (5-1 & 5-2); video monitor (4), a data recorder (3b); and a data compressor (3a).

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In Nishijima (see fig. 4), recording can be done either at intermittent mode (e.g., 1 fps, 5 fps, etc...) or at continuous mode (i.e., 30 fps). During recording, data are compressed at several different compression ratio to accommodate recording at different video resolution. For example, during the time leading up to detecting (e.g., via sensors 5-1 & 5-2) the occurrence of an event, data are recorded at a high compression rate which would yield a coarse resolution. However, when an event is detected, data are recorded at a low compression rate to ensure greater resolution. (See col. 3, line 1 to col. 4, line 64).

Nishijima also discloses (fig. 6; col. 6, line 36 to col. 7, line 40) a plurality of video camera, each providing respective video data, respective plurality of sensors, respective plurality of recorders, and a multiplexer/demultiplexer used to select the plurality of these devices.

Nishijima also discloses (fig. 8) a clock setting different time intervals for data recording, and controlling the compression rates in accordance to which time interval the recording falls into. Nishijima also discloses that both the clock and the sensors can be incorporated into one system to control the compression ratio during recording. (See col. 8, line 16 to col. 9, line 63).

Nishijima discloses several different types of memory media for recording data. With a continuous recording mode, it is inherent to make any of these recording media into a circular memory as claimed.

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In Nishijima, it is inherent that temporal and spatial resolutions as claimed are directly related to whether compression is carried out interframe (i.e., between frames) or intraframe (i.e., within a frame) respectively. These types of compression are highlighted in Nishijima. (See col. 4, lines 28-64; col. 10, lines 31-37).

In Nishijima, it is inherent that data encryption is involved since error detection and correction is disclosed (col. 4, lines 61-64).

In Nishijima, compression ratio vary from high, to intermediate, to low. This translates to having image resolution that goes from low to high. One can certainly read this as having "exponentially" higher image resolution as claimed.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 13-14, 32-33 and 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishijima, PN 5915069 in view of Freeman, PN 6002808 and Chow, PN 5016633.

Re claims 13-14:

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Nishijima fails to disclose that the image sensor includes an artificial retina as claimed. However, it is viewed that including an artificial retina as claimed is a matter of design incorporating well known art. For example, Chow and Freeman make it well known and use of this feature.

Re claims 32-33 & 44-45:

Nishijima fails to disclose that the surveillance system comprises a tamper resistant housing, and that said housing is portable. Examiner takes Official Notice that enclosing a video surveillance system in a tamper resistant housing and making it portable are nothing new, and it's widely practice in the art. Thus, it would have been obvious to incorporate a tamper resistant housing and making it portable as claimed if such applications are intended.

Re claims 44-45:

The grounds for rejecting the rest of claims 44-45 are set forth in paragraph 4 above. Furthermore, in Nishijima (fig. 8; col. 8, lines 29-45), it is disclosed that data recording can be user activated, and that the user can control what compression ratio is utilized in what time period.

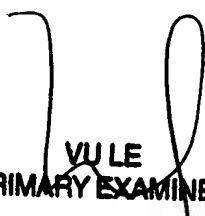
Contacts

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Vu Le whose telephone number is (703) 308-6613 and email is "Vu.Le@uspto.gov". The examiner can normally be reached on Monday to Friday from 8:30 AM to 5:00 PM.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700 or Customer Service whose number is (703) 308-6789.

The fax number for submitting formal communications is (703) 308-5359.


VU LE
PRIMARY EXAMINER

The drawings submitted with this application were declared informal by the applicant. Accordingly they have not been reviewed by a draftsperson at this time. When formal drawings are submitted, the draftsperson will perform a review.

Direct any inquires concerning drawing review to the Drawing Review Branch (703) 305-8404.